

**United States District Court**

*Eastern District of Missouri  
Southeastern Division  
555 Independence, Suite 2000  
Cape Girardeau, MO 63703*

*Gregory J. Linhares  
Clerk of Court*

*Phone: 573-331-8800*

June 23, 2020

**Albert L. Merrell  
205 Lillian Drive  
Sikeston, MO 63801**

RE: 1:20CV129SNLJ – Albert L. Merrell v. Megan J. Brennan et al

Dear Mr. Merrell:

Because you have paid the filing fee, it is now your responsibility to obtain service upon the defendants. ***Neither the Court nor the U.S. Marshal Service performs service of process when the filing fee has been paid.*** See Rule 4(c)(2). In order to properly serve the defendant, you must follow Rule 4 of the Federal Rules of Civil Procedure.

Listed below are two options for service of process. You must follow **one** of the two options listed.

**Option I:** You must complete a **Summons** for the defendant. Also required is a completed **Notice of Process Server** form. This form must include the name and address of the process server who will be effecting service for your case. These forms are enclosed for you to fill out and return to this office. Once they are signed and sealed by this office, they will be returned to you so that you can effect service. The answer time for the defendants is twenty (20) days.

Or, in the alternative,

**Option II:** You have the option of electing to serve the defendant with the **Waiver of Service** form pursuant to the Federal Rules of Civil Procedure, Rule 4(d). If you elect to use this option, you will need to fill out two (2) Waiver of Service forms and send them, along with a copy of your complaint and a self-addressed and stamped envelope to the defendant. These forms have been included with this correspondence. The answer time for the defendant is 60 days after the request was sent if the Waiver of Service option is used.

For your convenience, I have enclosed a file-stamped copy of your complaint. You will need to send the defendant a copy of your complaint along with either summons or waivers.

Please be aware that there is a time limit involved in which to obtain service upon the defendant(s). According to Rule 4(m) of the Federal Rules of Civil Procedure, all defendants must be served within 90 days after the filing of the complaint. If service of the complaint is not made within 90 days after the filing of the complaint, the Court may dismiss the action as to that defendant.

Please contact this office if you have any questions regarding process of service.

Sincerely,  
GREGORY J. LINHARES, CLERK

By:  
Deputy Clerk